

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

Federal National Mortgage Association

CIVIL ACTION NO: 1:22-cv-00361-NT

Plaintiff

vs.

**RE: VACANT REAL PROPERTY
14 Middle Street, Randolph, ME 04346**

**Melissa J. Schultz-Nielsen a/k/a Melissa J.
Andrews a/k/a Melissa J. Freeman and
Lars E Schultz-Nielsen**

**Mortgage:
September 20, 2001
Book 6638, Page 183**

Defendants

**HSBC Mortgage Services
Citibank South Dakota, NA
Capital One Bank USA NA
Lars E Schultz-Nielsen**

Party-In-Interest

**AFFIDAVIT OF KRISTINE DELGENIO IN SUPPORT OF PLAINTIFF'S
RESPONSE TO DEFENDANTS MOTION OBJECTION TO USE OF
REQUEST FOR ADMISSIONS AT TRIAL**

I, Kristine DelGenio, hereby depose and state as follows:

1. I am a paralegal at Doonan, Graves & Longoria, LLC, the law firm who represents Plaintiff Federal National Mortgage Association ("Fannie Mae") in this matter. I submit this affidavit in support of Plaintiff's response to Defendant's Motion objection to use of request for admissions at trial as to Defendant, Melissa J. Schultz-Nielsen a/k/a Melissa J. Andrews a/k/a Melissa J. Freeman.
2. The Scheduling Order in this matter was issued July 19, 2023. [ECF No. 20]
3. The Deadline to complete discovery was December 6, 2023.

4. The Plaintiff sent its 1st Request for Admissions to the Defendant on October 3, 2023, via regular mail addressed to the Defendant at the property address. *See* Exhibit A (a true and correct copy of the First Request for Admissions to the Defendant and proof of mailing are attached hereto).
5. The Undersigned attorney for Plaintiff filed a final pre-trial memo on January 30, 2024, which listed Plaintiff's Request for Admissions served on the Defendant as a Trial Exhibit. [ECF No. 31]
6. On February 7, 2024, a final pre-trial conference was held via zoom video conference wherein counsel for Plaintiff and Defendant Melissa J. Schultz-Nielsen a/k/a Melissa J. Andrews a/k/a Melissa J. Freeman appeared.
7. At that time defendant did not raise any issues or objections to Plaintiffs proposed trial exhibits.
8. At the pretrial conference Plaintiff requested the trial be continued for the April 2024 trial list, and the Defendant consented. [ECF No. 33]
9. On February 8, 2024, the Court put this trial on the Trial list for April 2, 2024. [ECF No. 34]
10. The Court scheduled a second pretrial conference for March 6, 2024. [ECF No. 34]
11. On February 28, 2024, the undersigned council for Plaintiff filed a supplemental pretrial memo at [ECF No. 35]
12. Again, in its Pre-Trial Memo, Plaintiff listed the Defendant's Requests for Admissions to Defendant as a proposed trial exhibit.
13. On March 6, 2024, a pretrial conference was held and Attorney Doonan appeared for the Plaintiff and Defendant Melissa J. Schultz-Nielsen a/k/a Melissa J. Andrews a/k/a Melissa J. Freeman appeared. [ECF No. 36]
14. At no time did Defendant raise any issue with the proposed exhibits.

15. On April 1, 2024, Defendant filed a Motion Objecting to Use of Requests for Admissions at Trial [ECF No. 37], in which she states she objects to the use of the Requests for Admissions at trial because she states she never received the Requests for Admissions and that was why she did not respond.
16. On April 2, 2024, the office of the undersigned re-sent the Requests for Admissions to the Defendant via regular and certified mail. *See* Exhibit B (a true and correct copy of the proof of mailing of the Requests for Admissions).
17. On April 15, 2024, the office of the undersigned reviewed the tracking information on the United States Postal Service's website as to the certified envelope with the Requests for Admissions sent to the Defendant, which indicated the certified envelope was "Delivered, Individual Picked Up at Post Office" and also states, "Your item was picked up at the post office at 3:28 pm on April 10, 2024 in GARDINER, ME 04345." *See* Exhibit C (a true and correct copy of the United State Postal Service's website indicating tracking information of the certified envelope.)

/s/ Kristine DelGenio
Kristine DelGenio
Paralegal

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.,

On this 19th day of April 2024, before me the undersigned notary public personally appeared Kristine DelGenio who proved to me through satisfactory evidence of identification to be the person whose name is signed on this document, who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

/s/ Heather M. Morris
Notary Public
My Commission Expires: 03/30/2029